

### **Remarks**

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The non-final Office Action dated July 21, 2005 indicated that claims 15 and 16 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten; claims 1, 7, 13 and 14 are objected to for informalities; claim 12 is rejected under 35 U.S.C. § 102(e) over Schuster *et al.* (U.S. Patent No. 6,674,745); claims 1-11 are rejected under 35 U.S.C. § 103(a) over Vargo *et al.* (U.S. Patent No. 6,477,164) in view of Fedyk *et al.* (U.S. Patent No. 6,873,616); claim 13 is rejected under 35 U.S.C. § 103(a) over Schuster *et al.* in view of Fedyk *et al.*; and claims 13 and 14 are rejected under 35 U.S.C. § 103(a) over Schuster *et al.* in view of Vargo *et al.*

With respect to the objection to claim 13, specifically that claim number 13 is used twice, the claim numbering of original claims 13-16 have been amended to correct the duplicate use of claim number 13. Thus, original claims 13-16 correspond to present claims 13-17.

Applicant appreciates the indication of allowability for claims 15 and 16 (now claims 16 and 17). Applicant has amended each of the claims to include underlying subject matter and accordingly submits that the objection has been overcome. Applicant requests that the objection be removed and the claims allowed.

With respect to the objections to claims 1, 7 and 14 (now claim 15), Applicant has amended each of the claims in accordance with the Examiner's suggestions. Accordingly, the objections have been overcome, and Applicant requests that each of the objections be removed.

Applicant has amended the claims to better characterize aspects of the claimed invention that should implicitly be understood in the claim language. For example, claims 1 and 7 identify that the database arrangement is separately situated from the originating endpoint device. Claim 12 better indicates that the originating endpoint device communicates with the broadband data network independent of any of the PSTNs.

Various dependent claims have also been amended to better characterize these aspects. None of the amendments present new matter and the claims are believed to be patentable over the cited references for the reasons given below.

Applicant respectfully traverses each of the prior art (Section 102(e) and Section 103(a)) rejections because the Office Action fails to present any reference or combination of references that corresponds to the claimed invention. The Office Action's assertions of correspondence appear illogical when the instant claims are read in view of Applicant's Specification, as required by MPEP § 2173.02. For example, a skilled artisan would recognize that the transmuxes of the '164 reference do not correspond to the claimed endpoint devices as a transmux is not considered an endpoint device, and the networks shown in Applicant's Fig. 1 would include transmuxes in addition to the identified endpoint devices. With respect to independent claims 1 and 7, the Office Action fails to present a reference that teaches or suggests a system including a database arrangement separately situated from an originating endpoint device. Further, with respect to claims 2-6 and independent claim 12, none of the cited references teach an originating endpoint device communicating with the broadband data network independent of any PSTNs or local telephone networks. Without a presentation of correspondence to each of the claimed limitations, the prior art rejections cannot be maintained. Accordingly, Applicant requests that each of the rejections be withdrawn.